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| | | | |
|--------------------|------------------------|-----------------------|------------------------|
| APPLICATION NUMBER | FILING OR 371 (3) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
| 10/789,385 | 02/27/2004 | Paul Sabin | 58629 (47171) |

21874
 EDWARDS & ANGELL, LLP
 P.O. BOX 55874
 BOSTON, MA 02205

CONFIRMATION NO. 4938

FORMALITIES LETTER



OC000000012703673

Date Mailed: 05/19/2004

08/06/2004 MAHME1 00000072 10789385
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

| | |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2051 | 65.00 OP |
| 03 FC:2202 | 315.00 OP |
| 04 FC:2203 | 145.00 OP |

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 5, 6 and 7.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$920** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1820** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$920**
 - **\$630** for **35** total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. 58629 (47171)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: P. SABIN et al.

U.S.S.N.: 10/789,385

Art Unit: 1746

FILED: February 27, 2004

Examiner:

FOR: EXTERNALLY MANIFOLDED MEMBRANE BASED ELECTROCHEMICAL
CELL STACKS

Mail Stop: Missing Part
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 C.F.R. 110*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date August 3, 2004 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV438970385US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle P. Chicos

(type or print name of person mailing paper)

Michelle P. Chicos

Signature of person mailing paper

TRANSMITTAL FOR MISSING PARTS FILING

Sir:

The following papers are enclosed herewith:

1. A copy of the Notice to File Missing Parts of Nonprovisional Application mailed May 19, 2004; and
2. A combined Declaration and Power of Attorney, signed by the inventors;
3. Assignment and Assignment Cover Sheet; and
4. Nine Sheets of Formal Drawings

The following fees are enclosed herewith:

| | | |
|----|--|-------------------|
| 1. | Basic Filing Fee | \$ 385.00 |
| 2. | Surcharge for late Oath or Declaration | \$ 65.00 |
| 3. | Assignment Recordation Fees | \$ 40.00 |
| 4. | Thirty-Five (35) Total Claims over Twenty (20) | \$ 315.00 |
| 5. | Multiple Dependent Claim Surcharge | \$ 145.00 |
| 6. | One Month Extension of Time | \$ 55.00 |
| | | <u>\$1,005.00</u> |

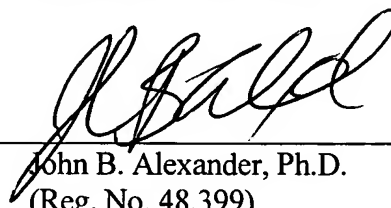
Enclosed herewith is a check for \$1,005.00 in payment of the total fee due.

Applicants believe that additional fees are not required, however, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

Date: August 3, 2004

By: _____



John B. Alexander, Ph.D.

(Reg. No. 48,399)

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